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Plaintiff,

V.

UNITED STATES DEPARTMENT OF
STATE, ET AL.,

Defendants.

Civil Action No. 3:19-CV-02823-X-BK

The United States Magistrate Judge made Findings, Conclusions, and a Recommendation in this case. No objections were filed. The Court reviewed the proposed findings, conclusions and recommendation for plain error. Finding none, the Court **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge. **IT IS ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE** for failure to comply with a court order and for want of prosecution.¹

The Court prospectively **CERTIFIES** that any appeal of this action would not be taken in good faith.² In support of this certification, the Court adopts and incorporates by reference the Magistrate Judge's Findings, Conclusions, and

² See 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24(a)(3).

Recommendation.³ Based on the Findings and Recommendation, the Court finds that any appeal of this action would present no legal point of arguable merit and would, therefore, be frivolous.⁴ In the event of an appeal, Plaintiff may challenge this certification by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of the Court, U.S. Court of Appeals for the Fifth Circuit.⁵

IT IS SO ORDERED this 6th day of February 2020.

A handwritten signature in cursive script, reading "Brantley Starr", is written over a horizontal line.

BRANTLEY STARR
UNITED STATES DISTRICT JUDGE

³ See *Baugh v. Taylor*, 117 F.3d 197, 202 and n.21 (5th Cir. 1997).

⁴ *Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983). Federal Rule of Appellate Procedure 4(a) governs the time to appeal an order. A timely notice of appeal must be filed even if the court certifies an appeal as not taken in good faith.

⁵ See *Baugh*, 117 F.3d at 202; Fed. R. App. P. 24(a)(5).